

DEC 07 2004

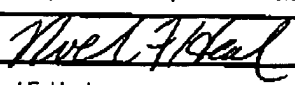
PTO/SB/21 (09-04)

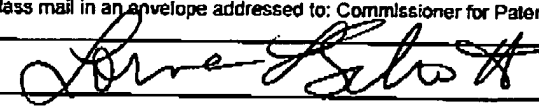
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/628,779	
	Filing Date	07/28/2003	
	First Named Inventor	Quentin P. Herr	
	Art Unit	2814	
	Examiner Name	Long Pham	
Total Number of Pages in This Submission	3	Attorney Docket Number	12-1143

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	XX Response to Restriction Requirement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Northrop Grumman Space Technology
Signature	
Printed name	Noel F. Heal
Date	12/07/2004
Reg. No.	28,074

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Lorna L. Schott
Date	12/7/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No. 12-1143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Quentin P. Herr

Serial No.: 10/628,779

Filed: July 28, 2003

For: SUPERCONDUCTING DIGITAL
FIRST-IN FIRST-OUT BUFFER
USING NOVEL BACK
PRESSURE MECHANISM

Examiner: Long Pham

Group Art Unit: 2814

RECEIVED
CENTRAL FAX CENTER

DEC 07 2004

CERTIFICATION OF FACSIMILE TRANSMISSIONI hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office
(FAX No. (703) 872-9306 on 12/7/04)

Lorna L. Schott

Signature

RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office action mailed November 24, 2004, the Examiner requires election between Species I (claims 1-11) and Species II (claims 12-20). Applicant assumes that the prior restriction requirement dated September 14, 2004, has been withdrawn.

In response to the latest requirement, Applicant provisionally elects Species I (claims 1-11), but respectfully traverses the requirement.

In making the restriction requirement, the Examiner states only that claims 1-11 are drawn to a single flux quantum (SFQ) superconductive integrated circuit and that

Application No. 10/628779

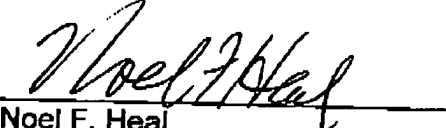
Docket No. 12-1143

claims 12-20 are drawn to a superconductive integrated circuit. The Examiner has not, however, made a *prima facie* showing of the distinctness of the two claim groups, as specifically required by MPEP §803 (Restriction – When Proper). Moreover, Applicant does not concede that claim 1 is the only generic claim. Applicant finds it difficult to rebut the *prima facie* showing of distinctness, as permitted under MPEP §803, because no *prima facie* showing has been made.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Respectfully submitted,

Date: December 7, 2004


Noel F. Heal
Registration No. 26,074

Northrop Grumman Space Technology
Intellectual Asset Management
One Space Park, E1-2041
Redondo Beach, CA 90278
Telephone: (310) 812-4910
FAX: (310) 812-2687